UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

Joshua M. Colbath

v.

06-cv-350-SM

Lakes Region Facility, Warden

<u>ORDER</u>

I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated November 14, 2006, no objection having been filed, for the reasons set forth therein. The Petition for Writ of Habeas Corpus is hereby dismissed without prejudice.

SO ORDERED.

December 7, 2006

Smurf MAdffe— Støven J. MøAuliffe

Chief Judge

cc: Joshua M. Colbath, pro se